Earl W. Yeagley, Jr.
Associate General Counsel
and Assistant Secretary
Miles Laboratories, Inc.
Elkhart, Indiana
219-264-8395

December 9, 1974

Mr. Roland Dove
Stream Pollution Control Board
1331 West Michigan Street
Indianapolis, Indiana

Re: Himco Waste-A-Way Service, Inc.

Dear Mr. Dove:

Miles Laboratories, Inc., an Indiana, corporation located at 1127 Myrtle Street, Elkhart, Indiana joins in the request of Himco Waste-A-Way Service, Inc., for an extension of time to December 31, 1975, within which to discontinue its existing sanitary landfill at County Road 10 in Elkhart County, Indiana.

There are a number of facts and circumstances respecting this matter which, we believe, will demonstrate that the continued, and proper, operation of this landfill for an interim period of up to an additional year is in the best interests of the Elkhart community, including Miles Laboratories, and will not pose any potential threat to the health or environment in the area.

There are only two landfill operators of any significant capacity in the Elkhart community. Those are the Elkhart County and Himco landfills. Of the two, Himco handles a substantially greater volume of waste than does the County. Quite naturally, the County does not have excess or surplus equipment standing idly by to handle a sudden surge in demand. We have been advised by the Superintendent of the County landfill that, if he were to attempt to handle the additional volume now

disposed of at the Himco fill, six (6) months would be required to procure the necessary equipment and to attain the capability to do so. We are further advised that the main County fill site presently has only about two (2) years of remaining capacity at its existing site. A vast increase in its inflow obviously would force the County to use up its capacity and move to another site at a much earlier date than presently anticipated.

Quite apart from those limitations, there are other limitations respecting hours of operation of the County landfill that would inflict an impossible burden on various industrial operators, particularly Miles, if they were to attempt to conform to those hours. The County landfill is open only five (5) days a week and its hours are 8:00 A.M. to 5:00 P.M. (We are advised that these restricted hours were agreed to by the County in connection with settlement of litigation by neighbors who had opposed the initial location of the landfill in their neighborhood.)

Miles, which employs approximately 2,500 employees in Elkhart, operates seven (7) days a week, 24 hours a day. Miles is the world's second largest producer of citric acid. Citric acid is utilized world wide, is an important food ingredient, and is used very heavily in the pharmaceutical industry. Calcium Sulphate is a by-product resulting from the process of manufacturing citric acid. As such, the calcium sulphate must be disposed of continually, as a part of the continuous operations of the citric acid plant. It normally is, and at the present time is, produced in the amount of 20 tubs, or 320 cubic yards, per day.

The physical design of the Miles plant provides a carousel arrangement of nine (9) rotating tubs, each with a capacity of 16 cubic yards. Thus, it is apparent that the maximum time required to fill all tubs, without having disposal service, is only about ten (10) hours. Miles must have both continuous availability of a place to dispose of the calcium sulphate

and haul-away service available for at least 14 hours each day, all seven (7) days of the week. Thus, you will appreciate that, for Miles, the County landfill - with hours of only 8 to 5, five (5) days a week - simply is not a viable alternative, consistent with keeping its citric acid plant in operation.

It is quite important, of course, to recognize the characteristics of calcium sulphate. Calcium sulphate occurs, commonly, in nature. The "White Cliffs of Dover" are a form of calcium sulphate, as are large dunes in Texas and New Mexico, gypsum and many other things. The calcium sulphate produced by Miles is non-toxic and inert.

We note that SPCB Regulation 18 provides that "disposal sites and operations which receive only rocks, brick, concrete or earth," are excluded from the provision of that Regulation and, further, that other substances may be recognized also to be inert, under that Regulation. We request that calcium sulphate produced by Miles be so recognized and classified under the Regulations. In support thereof, we attach documents showing: I. The various forms of calcium sulphate; II. Common definitions; III. Occurrences and properties; IV. Uses; V. The National Formulary specifications for food grade materials; VI. Chemical analysis and; VII. Leaching studies on calcium sulphate.

This data will, we believe, demonstrate that the calcium sulphate should be recognized as inert and, further, that the very substantial volume of calcium sulphate is both an acceptable and desirable addition to the wastes in the Himco landfill.

As you know, the overwhelming majority of the wastes received by Himco consists of lumber, sawdust and other wastes from industrial and commercial enterprises.

The operation has been highly responsible; there are no vectors or odors evident; and the premises are orderly. Mr. Himes, with the support of Miles, has responded well to legitimate concerns of the area in the past and we know of no present community criticism of his operations. While it may be recognized that this site might not be chosen for a new general purpose landfill using present day standards, it is a fact that this landfill has been in operation for fourteen (14) years. It is also pertinent that there is only about one year of capacity remaining at this landfill - at which time it must be discontinued in any event and a new site must be operable.

Mr. Himes has been endeavoring to acquire a new site for relocation of his landfill operations. Assuming that he succeeds in that endeavor within a reasonable time, he then must process the matter through local zoning procedures, accumulate the data for filing and processing a request for construction and operating permits through your office and accomplish the construction steps which are a pre-requisite to commencing operations at the new site. It would appear to be wholly realistic to anticipate that completion of these steps may, with all due diligence, reasonably consume all or most of a year's time.

We are confident that Himco can and will operate its landfill in a manner not detrimental to the Elkhart community. Permitting Himco's landfill to continue to operate until December 31, 1975 - while a replacement site is readied - will avoid the harsh and, we believe, unwarranted economic consequences that a closing would impose upon Himco, and upon Miles. We sincerely believe that the interests of Himco's many other industrial and local customers, and the interests of the entire community, would be substantially injured by a failure to allow time for an orderly transition, free of sharp disruptions.

You may be certain that Miles has a clear appreciation of the responsibilities and objectives of your office and would not request forbearance in this matter if it believed that any health hazard were imminent. Under the circumstances, it appears to Miles that the legitimate interests of your office and of Himco, Miles and the Elkhart community can all be reconciled and served by the continued and reasonable operations of the landfill for another year. We urgently request your approval of that course of action.

MILES LABORATORIES, INC.

By Earl W Vaughn Jr

4661-4667

(HIMCO DUMP)

INDIANA STATE BOARD OF HEALTH
BUREAU OF LABORATORIES * WATER LABORATORY
~~INDUSTRIAL WASTE~~ ANALYSES 169
SEWAGE

Source ELKHART CO

Date Received NOV 15 1974

Collected by MENZE-DAYHUFF #227

Reported on _____

Reported by _____

Temp. _____

Lab No. D	Station	Chemical Analysis in parts per million															
		BOD	pH	Alk.	Cl	TS	VTS	SS	VSS	Tot. PO_4	COD	SO4	SP. COND	CD	MN	HEX. CR.	
4661	ⓐ GOSS WELL	6.0	7.4		39.	320					9.0		556	<0.01	0.60		
4668	ⓑ FRANKS WELL	<1.0	7.2		2.	140					<1.0		500.	<0.01	0.11		
4667	ⓒ MORSE CO. WELL	<1.0	7.5		13.	140					3.0		390	<0.01	0.16		
							NA HOS										

CALCIUM SULFATE

I. Forms

Combinations of calcium, sulfates, and water exist in several various forms:(1)

1. Anhydrous Calcium Sulfate ($CaSO_4$)

   The natural form of anhydrous calcium sulfate is known as the mineral anhydrite (karstenite, muriacite, anhydrous sulfate of lime, anhydrous gypsum).

2. Insoluble anhydrite (dead-burned gypsum) ($CaSO_4$)

   Has the same crystal structure as anhydrous calcium sulfate, but is obtained upon complete dehydration of gypsum at above.

3. Soluble anhydrite ($CaSO_4$)

   Has the same crystal structure as anhydrous calcium sulfate, but is obtained by complete dehydration of gypsum at below 300°C in an electric oven.

4. Hemehydrate ($CaSO4 \cdot 1/2\ H_2O$) (dried calcium sulfate, plaster of paris, annelin, dried gypsum.

   Formed by the addition of 6.6% H_2O to the soluble anhydrite through absorption.

5. Dihydrate ($CaSO_4 \cdot 2\ H_2O$) (native calcium sulfate, precipitated calcium sulfate, gypsum, alabaster, selenite, terra alba, solenite, mineral white, satin spar, light spar.)

Calcium sulfate is said to be actually capable of existence in at least nine different forms - two forms of the dihydrate ($CaSO_4 \cdot 2H_2O$); three forms of the hemehydrate ($CaSO_4 \cdot 1/2\ H_2O$); and four forms of the anhydrous salt ($CaSO_4$).(2)

TRANSMIT CONFIRMATION REPORT

NO.	:	002
RECEIVER	:	202 616 6584
TRANSMITTER	:	USEPA/Superfund
DATE	:	JAN 05'05 16:07
DURATION	:	13'31
MODE	:	STD
PAGES	:	24
RESULT	:	OK